

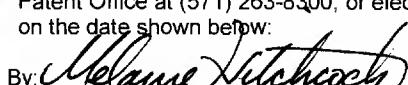
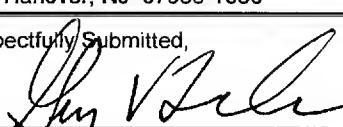
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Weers et al.  
 Application No: 10/616,448  
 Confirmation No. 1036  
 Filed: July 8, 2003  
 Title: PHOSPHOLIPID-BASED POWDERS FOR INHALATION

Group No: 1616  
 Examiner: Arnold, Ernst V  
 Attorney Docket No: 53281-US-CNT[2]  
 (NV.103.11)  
 January 25, 2010  
 San Francisco, CA 94107

<p>Mail Stop Appeal Briefs-Patents          Commissioner for Patents          P.O. Box 1450          Alexandria, VA 22313-1450</p> <p><b>Via EFS</b></p> <p><input checked="" type="checkbox"/> <b>Response to Non-Final Office Action</b>  <input type="checkbox"/> Comments on Statement of Reasons for Allowance  <input type="checkbox"/> Appeal Brief  <input type="checkbox"/> Drawings  <input type="checkbox"/> Supplemental Information Disclosure Statement  <input type="checkbox"/> PTO-SB/08 Form  <input type="checkbox"/> Citations  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Postcard for Return</p>	<p><b>Extension of Time</b></p> <p><input checked="" type="checkbox"/> Applicant petitions for an extension of time under 37 C.F.R. 1.136</p> <table border="1"> <thead> <tr> <th rowspan="2">Extension (Months)</th> <th colspan="2">Extension Fee</th> </tr> <tr> <th>Large Entity</th> <th>Small Entity</th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/> One Month</td> <td>\$130.00</td> <td>\$65.00</td> </tr> <tr> <td><input type="checkbox"/> Two Months</td> <td>\$490.00</td> <td>\$245.00</td> </tr> <tr> <td><input type="checkbox"/> Three Months</td> <td>\$1,110.00</td> <td>\$555.00</td> </tr> <tr> <td colspan="3" style="text-align: right;"><b>Total \$ 130.00</b></td> </tr> </tbody> </table> <p><input type="checkbox"/> Applicant believes that no extension of term is required. However, this conditional petition is being made in case applicant has inadvertently overlooked the need for a petition for extension of time.</p>			Extension (Months)	Extension Fee		Large Entity	Small Entity	<input checked="" type="checkbox"/> One Month	\$130.00	\$65.00	<input type="checkbox"/> Two Months	\$490.00	\$245.00	<input type="checkbox"/> Three Months	\$1,110.00	\$555.00	<b>Total \$ 130.00</b>		
Extension (Months)	Extension Fee																			
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<b>Total \$ 130.00</b>																				

Fees for Extra Claims						
	Claims remaining after amendment	Highest number previously paid for	Number Extra	Rate		Additional Fee
				Large Entity	Small Entity	
Total Claims	22	23	0	\$52.00	\$26.00	\$0.00
Independent Claims	3	3	0	\$220.00	\$110.00	\$0.00
Multiple Dependent Claims			0	\$390.00	\$195.00	\$0.00
						<b>Total</b>
						<b>\$0.00</b>

<p><b>Fee Payment</b></p> <table border="1"> <tr> <td>Extension Fee</td> <td>\$130.00</td> </tr> <tr> <td>Appeal Brief</td> <td>\$0.00</td> </tr> <tr> <td><b>Total</b></td> <td><b>\$130.00</b></td> </tr> </table> <p><input type="checkbox"/> Attached is check no. _____ in the sum of \$0.00.  <input checked="" type="checkbox"/> Please charge Deposit Account No. <u>10-0258</u> in the sum of \$130.00.</p> <p><b>CERTIFICATE OF TRANSMISSION (37 C.F.R. '1.8a):</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450; facsimile transmitted to the U.S. Patent Office at (571) 263-8300; or electronically submitted via EFS on the date shown below:</p> <p>By:  Date: January 25, 2010      Melanie Hitchcock</p>	Extension Fee	\$130.00	Appeal Brief	\$0.00	<b>Total</b>	<b>\$130.00</b>	<p><b>Fee Deficiency</b></p> <p><input checked="" type="checkbox"/> If any additional extension and/or fee is required, please charge Deposit Account No. <u>10-0258</u>.          and/or  <input checked="" type="checkbox"/> If any additional fee for claims is required, please charge Deposit Account No. <u>10-0258</u>.</p> <p>Please direct telephone calls to: Guy V. Tucker at (415) 538-1555          Please send correspondence to:          NOVARTIS          Corporate Intellectual Property          One Health Plaza 104/3          East Hanover, NJ 07936-1080</p> <p>Respectfully Submitted,            By:  Date: January 25, 2010          Guy V. Tucker          Registration No. 45,302</p>
Extension Fee	\$130.00						
Appeal Brief	\$0.00						
<b>Total</b>	<b>\$130.00</b>						